



**PLANNING COMMISSION
CITY OF SCOTTSDALE
CITY HALL KIVA
3939 NORTH DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
FEBRUARY 22, 2006**

STUDY SESSION MINUTES

PRESENT: Steve Steinberg, Chairman
James Heitel, Vice-Chairman (arrived 4:30)
Eric Hess, Commissioner (arrived 4:35)
Jeffrey Schwartz, Commissioner
David Barnett, Commissioner
Kevin O'Neill, Commissioner

ABSENT: Steven Steinke, Commissioner

STAFF PRESENT: Lusia Galav
Donna Bronski
Kira Wauwie
Tim Curtis
Sherry Scott
Frank Gray

1. **CALL TO ORDER**

The study session of the Scottsdale Planning Commission was called to order by Vice-Chairman Steinberg at 4:14 p.m.

2. **ADMINISTRATIVE REPORT - LUSIA GALAV**

None.

3. **REVIEW AND DISCUSSION ON THE RESPONSIBILITY AND POWERS OF THE PLANNING COMMISSION**

Mr. Gray mentioned that the main concern of most of the Commissioners pertained to the appropriateness of land division issues and whether those issues should be the responsibility of the Planning Commission instead of the

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Development Review Board. He noted his understanding that the powers and duties reflect the actual responsibilities of the Commission.

Chairman Steinberg suggested that it would be helpful for the Planning Commission to be able to work directly with City Council on controversial cases, as occurred on the Waterfront project.

Chairman Steinberg suggested that a Member of the Planning Commission be placed on the Historic Preservation Commission on a rotational basis similar to their function with the Development Review Board.

Chairman Steinberg mentioned that the Commission would like more guidance on legal issues such as abandonments. Mr. Gray agreed that the issue could be a study session item. Ms. Bronski committed staff to assemble a presentation on abandonments.

Commissioner Schwartz agreed with Chairman Steinberg's suggestion of working with the City Council on controversial issues. He opined that the discussion and vote on issues during regular Planning Commission meetings should carry enough weight and should be unnecessary for a Commissioner to make a presentation to City Council.

In response to an inquiry by Commissioner Barnett, Mr. Gray reviewed Planning staff's responsibilities. He elaborated that most cases are recommended for approval by staff because the issues are addressed before bringing them to the Commission. He noted that the staff recommendation is not contained in the Council packet once the Planning Commission has made a recommendation.

4. **REVIEW OF FEBRUARY 22, 2006**

CONTINUANCE

20-AB-2005

Colaric Abandonment

Ms. Galav reported that this case has been continued to a date to be determined. Planning staff are working with the Transportation Department to determine how to address alleyway abandonment.

Commissioner Schwartz opined that it would be unfair to continue this case indefinitely when the City has granted a building permit for access to the alley.

Mr. Gray mentioned that the staff recommendation would be for denial; however, staff would like the opportunity to meet with the neighborhood and see if a solution for a partial abandonment could be reached.

Commissioner Schwartz noted that maintenance is the responsibility of the City. He opined that two weeks would be adequate time to resolve any issues.

In response to inquiry by Commissioner Barnett, Mr. Gray explained that this is a decision on a specific case and is not applicable to alley abandonment's in general; the general policy is not to abandon alleys unless they are no longer of functional use. He stated that alleyways are considered public rights-of-way.

Ms. Bronski explained that there is an ordinance provision requiring adjacent homeowners to maintain the public right-of-way from back of curb, through the property, to the midpoint of the alley.

Mr. Gray spoke in generalities about the application for abandonment which came in from all of the adjoining property owners on one side. A building permit was pulled at the same time and has now been coordinated. He opined that when people are no longer receiving benefit from a property, they no longer want to maintain the property. Mr. Gray confirmed a verbal commitment to maintain the alley from the property owner that obtained the building permit.

19-AB-2005 Smallwood Abandonment

Ms. Galav noted that the dedication portions of the abandonment have been rectified and the item will be before the Commission on March 8.

Commissioner Barnett inquired whether it would be a feasible option for an individual in one of these neighborhoods to request that these alleyways be historically designated. Mr. Gray indicated that the option would have to be evaluated from a legal standpoint. He assumed that the suggestion might be an option, provided it is a part of the historic fabric.

Vice-Chairman Heitel commented that many of these subdivisions were created by historic people, are significant characters and represent a certain era of this Valley

Commissioner Hess stated that he would like to see this item no later than the March 8 meeting, noting that this is third postponement.

Mr. Gray guaranteed that the item will be on the next agenda.

1-TA-2006 Conditional Use Permit Text Amendment for
Private and Charter Schools

2-TA-2006 ESL Text Amendment

EXPEDITED

28-UP-2005 East End Electrical Substation

No questions or comments.

REGULAR AGENDA

19-UP-2005 Performance Enhancement Professionals

Chairman Steinberg commented that there has been some controversy on noise and some illegal use.

21-ZN-2005/6-HP-2005 Taliesin West HP Overlay Zoning

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Chairman Steinberg and Commissioner Schwartz requested that the item be moved to the expedited agenda.

5. **REVIEW OF MARCH 8, 2006 TENTATIVE AGENDA**

6. **ADJOURNMENT**

With no further business to discuss, the study session adjourned at 4:45 p.m.

Respectfully submitted,
A/V Tronics, Inc.